

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SILICON CRYSTAL TECHNOLOGY,)
LLC, et al.,) 2:10-cv-01710-PMP-PAL
Plaintiffs,)
v.) O R D E R
RTI AMERICA, INC., et al.,)
Defendants.)

Having considered the arguments of counsel presented April 11, 2011 on Defendant/Counterclaimant RTI America, Inc.'s fully briefed Motion for Order to Show Cause Why a Writ of Possession Should Not Issue and For Temporary Restraining Order (Doc. #10), the Court finds as follows:

1. Defendant/Counterclaimant RTI has not shown a reasonable probability of prevailing on its claim that it is lawfully entitled to possession of the assets at issue as required by N.R.S. 31.850;
2. That the Asset Sale Agreement entered on or about December 24, 2009 provides no express right to repossession of the assets at issue upon default under the Asset Sale Agreement;
3. That RTI cannot demonstrate that it will suffer irreparable harm, and has an adequate remedy at law available in the form of money damages.

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IT IS THEREFORE ORDERED that Defendant/Counterclaimant RTI America, Inc.'s Motion for Order to Show Cause Why a Writ of Possession Should Not Issue and For Temporary Restraining Order (Doc. #10) is **DENIED**.


Philip M. Pro
United States District Judge